

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

KEVIN DEVON PROX

PETITIONER

V.

CIVIL ACTION NO. 3:24-CV-158-KHJ-MTP

WARDEN FNU COLBERT

RESPONDENT

ORDER

Before the Court is the [23] Report and Recommendation (“Report”) of United States Magistrate Judge Michael T. Parker. The Magistrate Judge found that Petitioner Kevin Devon Prox failed to exhaust his administrative remedies before seeking habeas relief under 28 U.S.C. § 2241. *See id.* at 2–5. The Report thus recommends dismissing without prejudice Prox’s [1] Petition for Writ of Habeas Corpus. *Id.* at 1, 6. The Report notified the parties that failure to file written objections within 14 days would bar further appeal in accordance with 28 U.S.C. § 636. *Id.* at 6.

When no party objects to a magistrate judge’s report, the Court need not review it de novo. *See* 28 U.S.C. § 636(b)(1). Instead, the Court can apply the clearly erroneous, abuse-of-discretion, and contrary-to-law standard of review. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam).

Prox filed no objections to the Report, and the time to do so has passed. The Report is neither clearly erroneous nor contrary to law. The Court therefore adopts the Report as the opinion of this Court. Accordingly, the Court DISMISSES without

prejudice Petitioner Kevin Devon Prox's [1] Petition for Writ of Habeas Corpus. The Court will issue a final judgment consistent with this Order.

SO ORDERED, this 16th day of July, 2024.

s/ *Kristi H. Johnson*
UNITED STATES DISTRICT JUDGE